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Attorney Docket **P1064R1C1**
PATENT



EV 351932389 US: Express Mail Number

December 3, 2003: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Paula M. Jardieu, Utica, New York
Leonard G. Presta, San Francisco, California

Title: **ANTIBODY MUTANTS**

1. Type of Application

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 08/975,329, filed 20 November 1997, which claims priority under 35 U.S.C. §119(e) to provisional application Serial Number 60/031,945, filed 27 November 1996, the entire disclosures of which are hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

83 pages of specification
4 pages of claims
1 page(s) of abstract
5 sheet(s) of drawings
☒ formal ☐ informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
___ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
☒ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)
☐ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)
☐ An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.

(for cont./div.)
☒ The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

☐ Cancel in this application original claims __ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	28	- 20 =	8	X \$18.00	\$144.00
Independent Claims	3	- 3 =	0	X \$86.00	\$0.00
Multiple dependent claim(s), if any				+ \$290.00	\$0.00
Filing Fee Calculation					\$914.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$914.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this transmittal is enclosed.**

9. Additional Papers Enclosed

☒ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449.

☒ Submission of "Sequence Listing", request to transfer computer readable copy from prior application, and certificate re: sequence listing.

☐ A new Power of Attorney or authorization of agent.

☒ Other: Application Data Sheet

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

 X A petition, fee and/or response has been filed to extend the term in the pending prior application until December 18, 2003.

 X A copy of the petition for extension of time in the **prior** application is attached.

11. Correspondence Address:

 X Address all future communications to:

Attn: Lee K. Tan, Ph.D.

Customer No: 09157

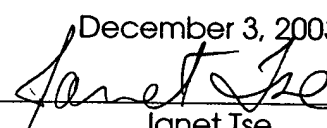
Respectfully submitted,
GENENTECH, INC.

Date: December 3, 2003

By: Lee Tan
Lee K. Tan, Ph.D.
Reg. No. 39,447
Telephone No. (650) 225-4462

CUSTOMER NO: 09157

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of Jardieu et al. Serial No.: 08/975,329 Filed: November 20, 1997 For: ANTIBODY MUTANTS</p>	<p>Group Art Unit: 1644 Examiner: R. Schwadron Confirmation No: 9426 CUSTOMER NO: 09157</p> <p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 3, 2003  Janet Tse</p>
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PETITION AND FEE FOR THREE MONTH EXTENSION OF TIME
(37 CFR 1.136(a))

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

Applicant petitions the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated June 18, 2003 for three month(s) from September 18, 2003 to December 18, 2003. The extended time for response does not exceed the statutory period.

Please charge Deposit Account No. 07-0630 in the amount of \$950.00 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

Respectfully submitted,
GENENTECH, INC.

Date: December 3, 2003

By: 

Lee K. Tan, Ph.D.
Reg. No. 39,447
Telephone No. (650) 225-4462